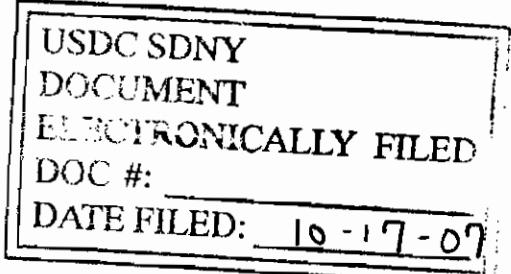


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
 DANIEL SZAROLETA, : : 07 CIV. 7639 (DLC)
 Plaintiff, : : NOTICE OF INITIAL
 : : PRETRIAL CONFERENCE
 -v- : :
 METRO-NORTH COMMUTER RAILROAD, : :
 Defendant. : :
 ----- X
 DENISE COTE, District Judge: : :
 ----- X



This case has been designated an electronic case and has been assigned to me for all purposes. By the date of the initial pretrial conference counsel for all parties are required to register as filing users in accordance with the Procedures for Electronic Case Filing.

Counsel for all parties are directed to appear for an initial pretrial conference with the Court, at the time and place listed below. Counsel are directed to confer with each other prior to the conference regarding settlement and each of the other subjects to be considered at Fed.R.Civ.P. 16 conference, and to prepare a detailed written proposed schedule for any motions and discovery. Prior to the date of the conference, all parties must send the Court one copy of all pleadings.

If this case has been settled or otherwise terminated, counsel are not required to appear, provided that a stipulation of discontinuance, voluntary dismissal, or other proof of termination is sent prior to the date of the conference via e-mail to the Orders and Judgment Clerk at the following e-mail address: orders_and_judgments@nysd.uscourts.gov.

All conferences with the Court are scheduled for a specific time; there is no other matter scheduled for that time; and counsel are directed to appear promptly. **All pretrial conferences must be attended by the attorney who will serve as principal trial counsel.**

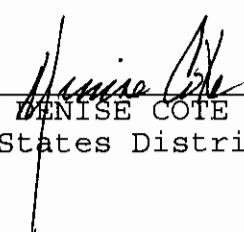
Requests for adjournment may be made only in a writing received not later than two business days before the conference. The written submission must (a) specify the reasons for the adjournment, (b) state whether the other parties have consented, and (c) indicate times and dates on succeeding Fridays when all counsel are available. Unless counsel are notified that the conference has been adjourned it will be held as scheduled.

YOU ARE DIRECTED (i) TO SO NOTIFY ALL ATTORNEYS IN THIS ACTION BY SERVING UPON EACH OF THEM A COPY OF THIS NOTICE AND THE COURT'S INDIVIDUAL PRACTICES FORTHWITH, AND (ii) TO FILE PROOF OF SUCH NOTICE WITH THE COURT. IF YOU ARE UNAWARE OF THE IDENTITY OF COUNSEL FOR ANY OF THE PARTIES, YOU MUST FORTHWITH SEND A COPY OF THE NOTICE AND PRACTICES TO THAT PARTY PERSONALLY.

DATE AND PLACE OF CONFERENCE: **OCTOBER 31, 2007, AT 10:30 A.M.** AT THE UNITED STATES COURT HOUSE, 500 PEARL STREET, NEW YORK, NEW YORK, IN COURTROOM 11B.

SO ORDERED:

Dated: New York, New York
October 17, 2007


DENISE COTE
United States District Judge

ECF NOTICE TO BE SENT TO:

Ioana Wenchell
Richard K. Bernard, General Counsel

COPIES MAILED TO:

Marc Wietzke
Law Offices of Michael Flynn PC
1205 Franklin Avenue
Penthouse
Garden City, NY 11530